

*REMARKS*

The Examiner is requested to approve the accompanying replacement drawing. The changes to the drawings are to change the location of Figures 5a and 5b as described in the Amendments to the Drawings section.

Claims 1- 32 are pending in this application, have been rejected, and are at issue herein. Reconsideration of claims 1-32 and indication of the allowance thereof are respectfully solicited.

Claim 1 has been amended to point out with greater particularity what the applicant regards as his invention. Specifically, claim 1 has been amended to point out that the priority of the notification is based upon a user's specified priority. Support for this amendment lies in the originally filed specification. For example, on page 19 lines 10 to 13, the specification states that the user specifies the priority of how notifications are rendered. The priority includes which notification classes have priority over other notification classes and how often the notification component of the invention notifies the user. No new matter has been added by this amendment. Claim 15 has also been amended to point out with greater particularity that the priority of the notification is based upon a user's specified priority

*35 USC §102 Rejections*

The Examiner has rejected claims 1-8, 10-21, 23-25, 30, and 32 under 35 U.S.C. 102(e) as anticipated by Nguyen et al. (U.S. Patent No. 6,412,021). This ground of rejection is believed overcome by the above amendments to Claims 1 and 15. Reconsideration of this ground of rejection and allowance of Claims 1-8, 10-21, 23-25, 30, and 32 in view of the foregoing amendments and the following remarks are respectfully solicited.

Claims 1 and 15 have been amended to point out that the priority is based upon a priority specified by the user. As explained in the present specification, the user specifies the priority of how notifications are rendered. The priorities that are specified include which notification classifications have priority over other notification classifications and how often the notification component should notify the user. The Examiner states that the event of Nguyen et al. is assigned a priority when the event is placed on the event queue because the events in queue are processed in a first-in-first-out sequence. This queued priority is not based upon a user's specified priority. Nguyen et al. does not teach or suggest assigning a priority to assign the notification based on the user's specified priority or rendering the notification in accordance with the priority. Therefore, Nguyen et al. does not teach all of the elements of claims 1 and 15.

Furthermore, Nguyen et al. teaches receiving an event and determining an appropriate response to the event. It is respectfully submitted that receiving an event and determining an appropriate response to the event is not the same as receiving a notification to provide to a user and rendering the notification because the event is not received to provide to a user. In view of the foregoing, it is respectfully requested that the Examiner withdraw the rejection of claims 1 and 15.

Claims 2-8, and 10-14 depend from claim 1 and are believed to be patentable for the same reasons set forth above for claim 1. Claims 16-21, 23-25, 30, and 32 depend from claim 15 and are believed to be patentable for the same reasons set forth above for claim 15.

With respect to claim 5, the Examiner states that Nguyen teaches XML-based notification at column 10, lines 47-67; column 8 lines 15-27. Nguyen has been reviewed and Nguyen teaches the use of HTML, which stands for Hypertext Markup Language. XML stands for eXtensible Markup Language. XML is defined as a subset of SGML, which stands for Standard Generalized Markup Language. SGML was developed for large scale applications, aircraft maintenance or power plant documentation, and intended to be maintained over the long term. It is not the same as HTML. The Examiner may believe that XML is the same as HTML, but it is not. The reason why XML seems to be so similar to HTML lies in the fact that HTML is defined as a subset of SGML. The most salient difference between HTML and XML is that HTML describes presentation and XML describes content. An HTML document rendered in a web browser is human readable. XML is aimed toward being both human and machine readable. XML itself is not a single markup language: it's a metalanguage to let you design your own markup language. A regular markup language such as HTML defines a way to describe information in a certain class of documents. XML lets you define your own customized markup languages for many classes of document. Therefore, it is respectfully submitted that Nguyen does not teach or suggest an XML-based notification.

With respect to claims 7 and 24, the Examiner states that Nguyen teaches an alpha-blended display and a transient display. The Examiner is directed to Figures 5a and 5b of the present specification, which shows a transient display and an alpha-blended display, respectively. It can be seen that an alpha-blended display is a display in which the levels of opacity or transparency is selected so that the image behind the alpha-blended display is partially visible and the image behind a transparent display is completely visible. Nguyen teaches a flashing glyph and a fixed glyph on the button icon. A flashing glyph and a fixed glyph are not an alpha-blended display or a transient display. Therefore, it is

respectfully submitted that Nguyen does not teach or suggest an alpha-blended display or a transient display.

With respect to claim 11, the queue is arranged to the priority of the notification. This means that the priority is known prior to placing the notification in the queue. Nguyen teaches queuing a notification in a first-in-first-out sequence. The priority of such a queue does not arrange the queue according to the priority of the notification since the priority is not known until the notification has been queued as other notifications can be queued before the notification has been queued. Therefore, it is respectfully submitted that Nguyen does not teach or suggest arranging a queue according to the priority of the notification.

With respect to claim 12, the Examiner states that Nguyen teaches flushing a queue because an event is removed from the event queue when the event is processed. The applicants respectfully disagree. Flushing a queue means that all events in the queue are removed from the queue without processing the events in the queue. Flushing a queue does not mean removing an event from the queue when the event is processed. Therefore, it is respectfully submitted that Nguyen does not teach or suggest flushing a queue

With respect to claim 13, the Examiner states that the number of times the user is provided notification is based on the number of events in the queue. The applicants respectfully disagree. Claim 13 requires the step of determining the number of times a particular notification is provided to the user. The number of events in the queue does not determine the number of times that the user is provided a particular notification. Nguyen et al. has been reviewed and no teaching or suggestion could be found of determining a number of times the user is provided a notification.

With respect to claims 14 and 17, the Examiner states that Nguyen teaches the elements of claim 14 and 17. Specifically, the Examiner states that column 4 lines 38-52 and column 12, lines 20-40 teaches checking a user preference list to see if the notification classification is listed in a list of selected of selected classifications selected by the user to indicate which notification the classifications the user wants to receive and rendering the notification if the notification class is listed in the list of selected classifications. The applicants respectfully disagree. Column 4 lines 38-52 of Nguyen teach checking a configuration button to see what button icons should be displayed in a selection bar. As described in the instant specification, a notification classification is a category of notifications, which includes a contact classification, a financial classification, an e-mail classification, and an audio classification. It is respectfully submitted that a button icon is not a notification classification as defined in the instant specification and required by claim 14 rendering the notification in accordance with a user preference as required by claim 17.

Therefore, it is respectfully submitted that Nguyen does not teach or suggest checking a user preference list to see if the notification classification is listed in a list of selected classifications selected by the user to indicate which notification the classifications the user wants to receive and rendering the notification if the notification class is listed in the list of selected classifications.

With respect to claim 18, the Examiner states that column 12, lines 20-40 of Nguyen teach determining if the classification enable is enabled for the notification classification. Column 12, lines 20-40 of Nguyen teach that the event ID is used to determine an appropriate response to the event. The response entails one or more forms of user notification, including changing a button icon in a selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip. The above teaches that the user is always notified of an event. Claim 18, on the other hand, requires that the classification enable of a notification classification be enabled in order for the notification to be rendered. This means that the user is not always provided the notification. Therefore, it is respectfully submitted that Nguyen does not teach or suggest a classification enable of a notification classification be enabled in order for the notification to be rendered. It is respectfully submitted that Nguyen teaches away from requiring that a classification enable of a notification classification be enabled in order for the notification to be rendered.

With respect to claim 21, the Examiner states that Nguyen at column 12, lines 1-12 teaches sending a pre-notification notification prior to rendering the notification if the notification is an audio notification. As described in the instant application at page 16, line 23 to page 17, line 5, and as required by claim 21, the pre-notification alert is sent to a user. This alerts the user that an audio notification is arriving so that the user does not miss or misinterpret the first words of the audio notification.

With respect to claim 30, the Examiner states that column 7, lines 63-67 of Nguyen teaches performing at least one action if the notification is selected by a user selection device. Nguyen teaches at column 7, lines 63-67 that a user presses an associated button icon in the selection bar when the user wishes to use the enterprise application represented by the associated button icon. The action of pressing the associated button icon triggers a mouse event that results in the loading and display of the selected application. The associated button icon is not a notification. It is merely a representation of a program. Therefore, it is respectfully submitted that Nguyen does not teach or suggest performing an action if the notification is selected by a user.

With respect to claim 32, the Examiner states that Nguyen teaches a long version (a message in a dialog box) and a short version (method to display updated clock images on the

associated button icon) and points to column 13, lines 35-50 of Nguyen for support. The Examiner is directed to page 18, line 17 to page 19, line 9 of the present specification. A long version and a short version is a version of the same notification. For example, the long version of a notification could be "Microsoft up 2 at 82 on increased volume" and a short version of the notification could be "Microsoft up 2 at 82." The rendering styles the Examiner is referring to in Nguyen do not teach or suggest a long version and a short version of a notification.

In view of the foregoing, it is respectfully requested that the Examiner withdraw the rejection of claims 2-8, 10-14, 16-21, 23-25, 30, and 32.

### *35 USC §103 Rejections*

To establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one skilled in the art, to modify the reference or combine teachings. There must be a reasonable expectation of success and the prior art references must teach or suggest all of the claim limitations. See MPEP 2142. Conclusory statements cannot be relied on when dealing with particular combinations of prior art and specific claims. The rationale for combining references must be put forth. *In re Lee*, 61 USPQ2<sup>d</sup> 1430, 1433. The Examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references". The Applicants respectfully submit that the Examiner has made conclusory statements in the §103 rejections and has put forth no rationale as to why one of ordinary skill in the art would combine the references. The Examiner has only stated what the Examiner believes the references teach and that it would be obvious to combine the references based on what the patent combined with Nguyen teaches. The Applicants respectfully submit that a prima facie case of obviousness has not been made.

The Examiner has rejected claim 9 under 35 USC 103 as being unpatentable over Nguyen in view of U.S. Patent No. 6,144,942 to Ruckdashel. Claim 9 is believed to be patentable for the reasons set forth above and for claim 1. Therefore, it is respectfully requested that the rejection of claim 9 be withdrawn.

The Examiner has rejected claim 22 under 35 USC 103 as being unpatentable over Nguyen in view of U.S. Patent No. 6,501,739 to Cohen. Claim 22 is believed to be patentable for the reasons set forth above and for claim 15. Therefore, it is respectfully requested that the rejection of claim 22 be withdrawn.

The Examiner has rejected claim 31 under 35 USC 103 as being unpatentable over Nguyen in view of U.S. Patent No. 6,424,357 to Frulla. Claim 31 is believed to be patentable for the reasons set forth above and for claim 15. Therefore, it is respectfully requested that the rejection of claim 31 be withdrawn.

The Examiner has rejected claims 26-29 under 35 USC 103 as being unpatentable over Nguyen in view of U.S. Patent No. 5,950,211 to Shealy. Claims 26-29 are believed to be patentable for the same reasons set forth above and for claim 15.

With respect to claim 27, Shealy teaches logging an event when a queue is flushed. Claim 27 requires flushing read items from the history that have been read by a user and flushing old items from the history based upon user preferences. It is respectfully submitted that logging an event when a queue is flushed or flushing messages in a given priority is not the same as and does not suggest flushing items from a history after they have been read or flushing old items determined from the user preference. Therefore, neither Nguyen or Shealy, singly or in combination, teach or suggest all of the limitations of claim 27.

With respect to claims 28, claim 28 depends from claim 27 and is believed to be patentable for the same reasons put forth above for claim 27. Furthermore, claim 28 requires that items in the history be displayed in accordance with the user preference. Shealy teaches using the utility 90 to obtain history log information in the form of a report. No teaching could be found of displaying items in the report in accordance with a user preference. Therefore, neither Nguyen nor Shealy, singly or in combination, teach or suggest all of the limitations of claim 27.

With respect to claim 29, it requires the steps of displaying the history and performing at least one action if a notification in the history is selected by a user selection device. Shealy teaches using the utility to obtain history information in the form of a report. Shealy also teaches using the utility to configure a device driver and to process collected information. Configuring a device driver and collecting information are performed without selecting a notification in the report of Shealy. No teaching or suggestion could be found in either Nguyen or Shealy of performing an action if a notification in the history is selected by a user selection device.

Therefore, in view of the foregoing, it is respectfully requested that the rejection of claims 26-29 be withdrawn.

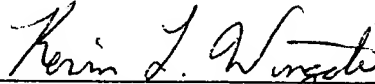
#### *Conclusion*

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the

In re Appln. of Andrew Felix, G.T.I. et al.  
Application No. 09/705,858

Examiner, a telephone conference would expedite the prosecution of the subject application,  
the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: September 26, 2003

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*AMENDMENTS TO THE DRAWINGS*

The attached replacement sheet includes changes to FIGs. 5a and 5b. This sheet replaces the original sheet. The original drawing sheet has FIG. 5a labeled as FIG. 5b and FIG. 5b labeled as FIG. 5a. FIG. 5a should be FIG. 5b and vice-versa. This amendment corrects the location of the figures.

Attachment: Replacement Sheet(s)  
Annotated Marked-Up Drawings





314

312

FIG. 5a

302

300

Swap figures

Weather  
Find a Job  
Apartments  
Local Radio  
Event Tickets  
Sports Scores  
TV Listings  
More...

Spotlight  
Markman  
9:15 AM

Personal Finance  
Manual Central Stock Quotes

Links & Resources

RE: preflight:dis

Welcome to

Mass protest against U.S. in Japan

South's heat Playing 'Train'

Politics from Slate

Bush touts his new Web site, plus today's top campaign news

Slate

Dear Prudie: Help, I've fallen for a cyberstud!

300

FIG. 5a

310

FIG. 5b

302

300

Weather  
Find a Job  
Apartments  
Local Radio  
Event Tickets  
Sports Scores  
TV Listings  
More...

Spotlight  
Markman  
9:15 AM

Personal Finance  
Manual Central Stock Quotes

Links & Resources

RE: preflight:dis

Welcome to

Mass protest against U.S. in Japan

South's heat CD Stopped (Train)

Politics from Slate

Bush touts his new Web site, plus today's top campaign news

Slate

Dear Prudie: Help, I've fallen for a cyberstud!

300

FIG. 5b